
WELSH STATUTORY INSTRUMENTS

2015 No. 1774

The Human Transplantation (Persons who Lack Capacity to Consent) (Wales) Regulations 2015

Title, commencement and application

1.—(1) The title of these Regulations is the Human Transplantation (Persons who Lack Capacity to Consent) (Wales) Regulations 2015 and they come into force at 00:01 on 1 December 2015.

(2) These Regulations apply in relation to Wales.

Deemed consent to storage and use of relevant material

2.—(1) This regulation applies in any case falling within paragraphs (a) and (b) of section 9(1) of the Human Transplantation (Wales) Act 2013 (storage and use involving material from adults who lack capacity to consent).

(2) An adult (“P”) who lacks capacity to consent to an activity of a kind mentioned in section 3(2) (c) or (d) of that Act (storage or use of relevant material from a human body for the purpose of transplantation) which involves material from P’s body, is deemed to have consented to the activity where the activity is done by a person who is acting in what they reasonably believe to be P’s best interests.

7 October 2015

Mark Drakeford
Minister for Health and Social Services, one of
the Welsh Ministers